

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

KIMBERLY LAGAYLE MCCARTHY, <i>Petitioner,</i>	§ § § §	Civil Action No. 3:07-CV-1631-O ECF (Death Penalty Case)
V.	§ § § §	
NATHANIEL QUARTERMAN, Director, Texas Department of Criminal Justice Correctional Institutions Division, <i>Respondent.</i>	§ § § §	

**ORDER APPOINTING COUNSEL**

On July 20, 2007, Kimberly LaGayle McCarthy (“Petitioner”) filed a *Motion for Appointment of Counsel*. (Doc. #1). No opposition has been filed to this motion.

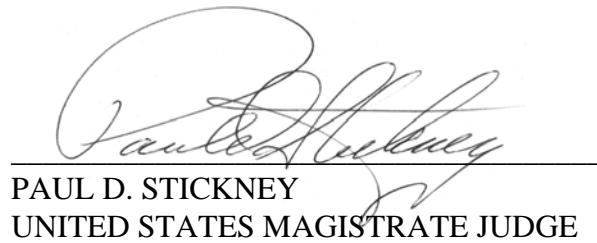
Having reviewed the motion to appoint counsel, the Court finds that Petitioner is entitled to the appointment of counsel by the provisions of 21 U.S.C. § 848(q)(4)(B). *See McFarland v. Scott*, 512 U.S. 849, 855-58, 114 S.Ct. 2568, 2572-73, 129 L.Ed.2d 666 (1994). The Court further finds that attorney **C. Wayne Huff** possesses the background, knowledge, and experience to enable him to represent Petitioner with due consideration to the seriousness of the possible penalty and the unique and complex nature of the litigation, and is qualified and willing to accept this appointment as lead counsel. Accordingly, the Court orders as follows:

IT IS, THEREFORE, ORDERED that Petitioner’s *Motion for Appointment of Counsel* (doc. #1) should be, and it is hereby GRANTED, that **C. Wayne Huff** is hereby appointed as lead counsel to represent Petitioner in this cause. Appointed counsel are entitled to compensation in accordance with Volume VII, Chapter II, of the Guide to Judicial Policies and Procedures, which Counsel is directed to read along with the instructions for form CJA 30 in order to ensure proper compensation for time and expenses incurred herein.

A copy of this Order along and CJA 30 forms shall be provided to appointed counsel at the following addresses:

LEAD COUNSEL    **C. Wayne Huff**  
P.O. Box 2334  
Borne, Texas 78006  
PHONE (210) 803-4127  
FAX (830) 230-5567

SIGNED on this the 15<sup>th</sup> day of January , 2008.



PAUL D. STICKNEY  
UNITED STATES MAGISTRATE JUDGE